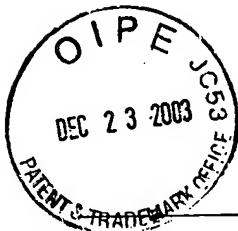


12-29-03

IPW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket #: 21590-CIP

In re Application of: Daugherty, Roger  
Filed: September 23, 2003  
Serial No. 10/669,108  
Group Art Unit:  
For: **Apparatus and Method for Humidification  
of Inspired Gases**

Mail Stop – IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

#### INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures § 609, the references listed on the attached form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

In order to provide complete disclosure, the present application is copending with Application No. 10/436,535, entitled "Apparatus and Method for Humidification of Inspired Gases", filed on May 13, 2003, and recently published on October 9, 2003 under publication number 2003/0188746A1. A copy of same is enclosed herein.

If for any reason the Examiner considers this disclosure not to comply with the above-referenced requirements, it is respectfully requested that the undersigned be contacted so that any deficiencies can be remedied.

This disclosure statement should not be construed as a representation that a search has been made or that no other material information, as defined in 37 C.F.R. § 1.56(a), exists.

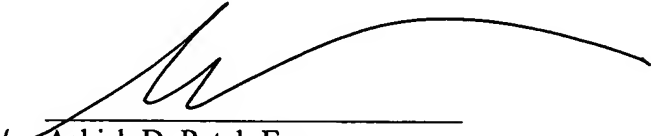
Some of the documents may have markings thereon. No significance is meant to be attached to any such markings.

These documents are not necessarily analogous art.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08A with initials or other appropriate marks.

Respectfully submitted,

Date: December 23<sup>rd</sup>, 2003

  
\_\_\_\_\_  
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CERTIFICATE OF MAILING

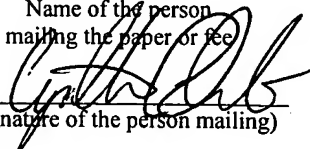
I hereby certify that this correspondence, along with any papers referred to therein as being attached or enclosed therewith, is being deposited with the United States Postal Service with sufficient postage as Express Mail, No. EV400222578US, in an envelope addressed to Mail Stop – IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

12-23-03

(Date)

Cynthia Pilato

Name of the person  
mailing the paper or fee

  
\_\_\_\_\_  
(Signature of the person mailing)



PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031  
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/669,108
Filing Date	09-23-2003
First Named Inventor	Daugherty, Roger
Art Unit	
Examiner Name	
Attorney Docket Number	21390-CIP

Sheet 1 of 1

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 2003/0188746A1	10-09-2003	Daugherty	ALL
		US- 6,439,231	08-27-2002	Fukunaga, et al.	ALL
		US- 6,129,082	10-10-2000	Leagre	ALL
		US- 5,901,705	05-11-1999	Leagre	ALL
		US- 5,823,184	10-20-1998	Gross	ALL
		US- 5,778,872	07-14-1998	Fukunaga, et al.	ALL
		US- 5,404,873	04-11-1995	Leagre, et al.	ALL
		US- 5,284,160	02-08-1994	Dryden	ALL
		US- 4,637,384	01-20-1987	Schroeder	ALL
		US- 4,463,755	08-07-1984	Suzuki	ALL
		US- 4,462,397	07-31-1984	Suzuki	ALL
		US- 4,320,754	03-23-1982	Watson, et al.	ALL
		US- 4,265,235	05-05-1981	Fukunaga	ALL
		US- 4,188,946	02-19-1980	Watson, et al.	ALL
		US- 4,007,737	02-15-1977	Paluch	ALL
		US- 3,945,378	03-23-1976	Paluch	ALL
		US- 3,865,106	02-11-1975	Palush	ALL
		US- 3,856,051	12-24-1974	Bain	ALL
		3,756,244	09-04-1973	Kinnear, et al.	ALL

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 99/12598	03-18-1999	Leagre	ALL	
		GB 2025239	01-23-1980	Fukunaga	ALL	
		CA 1,133,350	10-12-1982	Fukunaga	ALL	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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